IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE FIRST DAY OF FEBRUARY
TWO THOUSAND AND SEVEN

PRESENT

THE HON'BLE SRI JUSTICE BILAL NAZKI
and
THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

Writ Petition No.1625 of 2007

Between:

M/s.Viva Granites,
NSP Colony, Main Road,
Chimakurthy, Prakasam District,
Rep. by its Partner, Mr.K.Vijayakumar Reddy.

.....
PETITIONER

AND
1.The Commercial Tax Officer,
No.II (FAC), Ongole and 2 others.

.....RESPONDENTS

The Hon'ble Sri Justice Bilal Nazki
and
The Hon'ble Sri Justice Nooty Ramamohana Rao

Writ Petition No.1625 of 2007

Order: ***(Per Hon'ble Sri Justice Bilal Nazki)***

Heard the learned Counsel for the parties. With their consent, the Writ Petition is being disposed of at this stage.

The controversy is that pending an appeal, the petitioner filed an application seeking stay

of the recovery, which has been declined by the competent authority. We have gone through the record. We feel that the interest of justice would have been met if stay was granted pending appeal, subject to deposit of half of the total liability, within a period of six weeks from today. For six weeks, there shall be an unconditional stay and the stay shall continue till disposal of the appeal, provided the amount is deposited within six weeks. The deposit of amount shall be without prejudice to the rights of the petitioner in the appeal. The amounts already paid by the petitioner shall be given credit to.

The Writ Petition is disposed of accordingly. No costs.

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(Bilal Nazki, J)

1st February, 2007

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(Nooty Ramamohana Rao, J)

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